

AO 440 (Rev. 10/93) Summons in a Civil Action

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

POSITEC USA INC.,

Plaintiff,

v.

MILWAUKEE ELECTRIC TOOL CORP.,

Defendant.

SUMMONS IN A CIVIL CASE

Case Number: 05 890

TO: Milwaukee Electric Tool Corp.  
c/o Registered Agent  
Corporation Trust Company  
1209 Orange Street  
Wilmington, DE 19801

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

William J. Marsden, Jr.  
FISH & RICHARDSON P.C  
919 N. Market Street, Suite 1100  
Wilmington, DE 19899-1114  
1-302-652-5070

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**PETER T. DALLEO**

Clerk

12/27/05

Date

*E. Strucklin*

(By) Deputy Clerk



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RETURN OF SERVICE	
Service of the Summons and Complaint was made by <sup>1</sup>	DATE: 12/27/05
NAME OF SERVER (PRINT) CAREY M SHEA	TITLE: Process Server
<i>Check one box below to indicate appropriate method of service</i>	
<input type="checkbox"/> Served personally upon the defendant. Place where served:	
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.	
Name of person with who the summons and complaint were left:	
<input type="checkbox"/> Return unexecuted:	
<input checked="" type="checkbox"/> Other (specify) PERSONALLY SERVED MILWAUKEE ELECTRIC TOOL CORP. by SERVING ITS REGISTERED AGENT THE CORPORATION TRUST CO AT 1209 ORANGE ST, WILM DE 19801 AT 4:00pm PERSON ACCEPTING SERVICE: SCOTT LASCALA	

STATEMENT OF SERVICE FEES		
TRAVEL:	SERVICES:	TOTAL:

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service of Service Fees is true and correct.

Executed on: 12/27/05  
Date

Carey M Shea  
Signature of Server

PARCELS INC

230 N MARKET ST, WILM DE 19801  
Address of Server

<sup>1</sup> As to who may serve a summons, see Rule 4 of the Federal Rules of Civil Procedures.